

**Amendments to the Drawings:**

Applicant attaches herewith a set of drawings with amendments to Figure 7C as required by the Examiner. A complete set of formal drawings (20 sheets) are also attached herewith.

## REMARKS

There are currently 34 claims pending in the application. Applicant has canceled claims 30-32 and 35. Claims 9, 12, 29, 33 and 36 are amended.

### **Objections to the Drawings under 37 CFR 1.84(p)(5)**

FIG. 7C has been amended to change reference numeral 713 to 710 and reference numeral 714 to 706. Applicant notes that FIG. 7B and the text on page 13, lines 31-34 and page 14, lines 1-34 correctly identify these elements with the proper reference numerals.

### **Claim Rejections under 35 U.S.C. §112, second paragraph**

Claims 9 and 29 have been amended to change “after said insertion” and “upon said insertion” to “after insertion” and “upon insertion”, as suggested by the Examiner.

Claim 36 has been amended to refer to “removing” in claim 33.

### **Claim Rejections under 35 U.S.C. §102(b)**

The Examiner has rejected claims 12, 16-18, 21, 23 and 27-29 under 35 U.S.C. §102(b) in view of US 2002/0083949 to *James* (the ‘949 publication). Applicant respectfully disagrees with this rejection for the reasons set forth below.

Applicant has amended independent claim 12 to include the limitation that the anchoring body is removably affixed to the main body. Support for this amendment can be found on page 14, lines 12-13, 18-19 and 29-31 and in FIGS. 8A-9, *inter alia*.

It is noted that the ‘949 publication does not include an anchoring body (14/15/114) which is removable from the main body (11, 111). In fact, it is clearly stated that the device of the ‘949 publication is of “unitary construction”. See paragraph [0036]. Presumably unitary construction is used for enhanced structural integrity of the device as well as for cost of manufacture considerations.

Because there is no removable anchoring body in the ‘949 publication devices, and there is no reason provided for one, claims 12, 16-18, 21, 23 and 27-29 are novel and non-obvious in view of the ‘949 publication.

### **Claim Rejections under 35 U.S.C. §102(e)**

The Examiner has rejected claims 12, 13, 16-18, 20, 22-24, 27, 28, 33 and 35 under 35 U.S.C. §102(e) in view of US 2004/0084054 to *Kasecki, et al.* (the ‘054 publication). Applicant respectfully disagrees with this rejection for the reasons set forth below.

As described above, claim 12 has been amended to include the limitation that the anchoring body is removably affixed to the main body.

It is noted that none of the embodiments of the ‘054 publication show or describe an “anchoring body” (3/13) which is removable from the main body (2/12). In fact, the ‘054 publication describes the anchoring body and the main body as being fully integrated, either by using an adhesive agent to permanently secure them together or by molding them together during manufacture using a two-color method. *See* paragraph [0068].

Because there is no removable anchoring body in the ‘054 publication devices, and there is no reason provided for one, claims 12, 13, 16-18, 20, 22-24, 27, 28, 33 and 35 are novel and non-obvious in view of the ‘054 publication.

### **Claim Rejections under 35 U.S.C. §103(a)**

The Examiner has rejected claims 1, 2 and 7-11 under 35 U.S.C. §103(a) as being obvious in view of the ‘949 publication, the ‘054 publication and further in view of US 2,141,040 to *Holt* (the ‘040 patent). Applicant respectfully disagrees with this rejection for the reasons set forth below.

As noted above, neither the ‘949 publication nor the ‘054 publication describe or suggest a removable anchoring body. The ‘040 patent also does not describe or suggest a removable anchoring body. Therefore, the combination of the ‘949 publication, the ‘054 publication and the ‘040 patent fails to teach each and every limitation of claims 1, 2 and 7-11, all of which incorporate the “removably” affixed limitation since they depend on claim 12.

Claims 1, 2 and 7-11 are non-obvious in view of the cited references at least because every limitation of these claims is not taught by their combination.

The Examiner has rejected claim 3 under 35 U.S.C. §103(a) as being obvious in view of the ‘949 publication, the ‘054 publication, the ‘040 patent and further in

view of US 4,307,716 to *Davis* (the ‘716 patent). Applicant respectfully disagrees with this rejection for the reasons set forth below.

As noted above, none of the ‘949 publication, the ‘054 publication, or the ‘040 patent describe or suggest a removable anchoring body. The ‘716 patent also does not describe or suggest a removable anchoring body. Therefore, the combination of these cited references fails to teach each and every limitation of claim 3.

For at least this reason, claim 3 is non-obvious in view of the cited references.

The Examiner has rejected claims 4-6 under 35 U.S.C. §103(a) as being obvious in view of the ‘949 publication, the ‘054 publication, the ‘040 patent and further in view of US 2,580,133 to *Sheen* (the ‘133 patent). Applicant respectfully disagrees with this rejection for the reasons set forth below.

As noted above, none of the ‘949 publication, the ‘054 publication, or the ‘040 patent describe or suggest a removable anchoring body. The ‘133 patent also does not describe or suggest a removable anchoring body. Therefore, the combination of these cited references fails to teach each and every limitation of claims 4-6.

For at least this reason, claims 4-6 are non-obvious in view of the cited references.

The Examiner has rejected claims 19 and 32 under 35 U.S.C. §103(a) as being obvious in view of the ‘949 publication, the ‘054 publication, and further in view of US 2,146,574 to *Hay* (the ‘574 patent). Applicant respectfully disagrees with this rejection for the reasons set forth below.

As noted above, neither the ‘949 publication nor the ‘054 publication describe or suggest a removable anchoring body. The ‘574 patent also does not describe or suggest a removable anchoring body. Therefore, the combination of the ‘949 publication, the ‘054 publication and the ‘574 patent fails to teach each and every limitation of claim 19, which incorporates the “removably” affixed limitation of independent claim 12.

Claim 19 is non-obvious in view of the combination of the cited references at least because not every limitation of the claim is taught.

Claim 32 has been canceled.

The Examiner has rejected claim 30 under 35 U.S.C. §103(a) as being obvious in view of the ‘949 publication, the ‘054 publication, the ‘040 patent and further in view of US 5,224,494 to *Einhornung* (the ‘494 patent). Applicant respectfully disagrees with this rejection for the reasons set forth below.

As noted above, none of the ‘949 publication, the ‘054 publication, or the ‘040 patent describe or suggest a removable anchoring body. The ‘494 patent also does not describe or suggest a removably affixed anchoring body. Therefore, the combination of these cited references fails to teach each and every limitation of claim 30.

For at least this reason, claim 30 is non-obvious in view of the cited references.

The Examiner has rejected claim 31 under 35 U.S.C. §103(a) as being obvious in view of the ‘949 publication, the ‘054 publication, the ‘040 patent, the ‘494 patent and further in view of US 5,603,685 to *Tutrone, Jr.* (the ‘685 patent). Claim 31 has been deleted, so this rejection is moot.

The Examiner has rejected claim 34 under 35 U.S.C. §103(a) as being obvious in view of the ‘054 publication and further in view of the ‘574 patent. Applicant respectfully disagrees with this rejection for the reasons set forth below.

Independent claim 33 has been amended to include the limitation that the prolapse treating apparatus is removed by removing the anchoring body from the main body.

As noted above, the ‘054 publication does not describe or suggest a removable anchoring body. The ‘574 patent also does not describe or suggest a removable anchoring body. Therefore, the combination of the ‘054 publication and the ‘574 patent fails to teach each and every limitation of claim 34, which incorporates the removing the anchoring body limitation of independent claim 33.

Claim 34 is non-obvious in view of the combination of the cited references at least because not every limitation of the claim is taught.

The Examiner has rejected claim 36 under 35 U.S.C. §103(a) as being obvious in view of the ‘054 publication and further in view of the ‘716 patent. Applicant respectfully disagrees with this rejection for the reasons set forth below.

As noted above, neither the ‘054 publication nor the ‘716 patent describe or suggest a removable anchoring body. Therefore, the combination of the ‘054 publication and the ‘716 patent fails to teach each and every limitation of claim 36, which incorporates the removing the anchoring body limitation of independent claim 33.

For at least this reason, claim 36 is non-obvious in view of the cited references.

The Examiner has rejected claim 37 under 35 U.S.C. §103(a) as being obvious in view of the ‘054 publication and further in view of US 6,808, 485 to *Zunker* (the ‘485 patent). Applicant respectfully disagrees with this rejection for the reasons set forth below.

As noted above, the ‘054 publication does not describe or suggest a removable anchoring body. The ‘485 patent also does not describe or suggest a removable anchoring body. Therefore, the combination of the ‘054 publication and the ‘485 patent fails to teach each and every limitation of claim 37, which incorporates the removing the anchoring body limitation of independent claim 33.

Claim 37 is non-obvious in view of the combination of the cited references at least because not every limitation of the claim is taught.

The Examiner has rejected claim 38 under 35 U.S.C. §103(a) as being obvious over the ‘054 publication in view of the ‘949 publication. Applicant respectfully disagrees with this rejection for the reasons set forth below.

Neither the ‘949 publication nor the ‘054 publication describe or suggest a removable anchoring body. Therefore, the combination of the ‘054 publication and the ‘949 publication fails to teach each and every limitation of claim 38, which incorporates the removing the anchoring body limitation of independent claim 33.

Claim 38 is non-obvious in view of the combination of the cited references at least because not every limitation of the claim is taught.

## **CONCLUSION**

Applicant reserves the right to file a divisional application for the invention embodied in claims 30-32 as long as this application is pending.

In view of the amendments and arguments herein, an allowance of the claims is respectfully requested.

Respectfully submitted,

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**Enclosures:**

- Petition for Extension (One Month)
- Letter to Chief Draftsman
- Annotated Drawing Sheet
- Formal Drawing Transmittal Sheet
- Complete Set of Replacement Drawing Sheets